

FILED IN THE  
U.S. DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON

**Oct 03, 2024**

SEAN F. MCAVOY, CLERK

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON

MICHELLE H.,<sup>1</sup>

Plaintiff,

v.

MARTIN O'MALLEY,  
COMMISSIONER OF SOCIAL  
SECURITY,

Defendant.

NO: 1:24-cv-03068-LRS

ORDER GRANTING STIPULATED  
MOTION FOR REMAND

BEFORE THE COURT is the Defendant's Stipulated Motion to Remand,  
ECF No. 13. Based on the stipulation of the parties, the Court finds good cause to  
grant the motion. Accordingly, pursuant to the stipulation, **IT IS HEREBY**

**ORDERED:**

1. Defendant's Stipulated Motion for Remand, **ECF No. 13**, is **GRANTED**.

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<sup>1</sup> The court identifies a plaintiff in a social security case only by the first name and last initial in order to protect privacy. *See* LCivR 5.2(c).

2. This case is **REVERSED** and **REMANDED** for further administrative proceedings pursuant to sentence four of 42 U.S.C. § 405(g).


3. Upon remand, the Administrative Law Judge shall further evaluate the opinion evidence and prior administrative medical findings; reconsider the claimant's residual functional capacity; give the claimant an opportunity for a hearing; and issue a new decision. The period at issue will be limited to the time prior to January 18, 2021. The Appeals Council will direct this case be assigned to a different Administrative Law Judge on remand.

4. Upon proper presentation, this Court will consider Plaintiff's application for costs, expenses, and reasonable attorney's fees under the Equal Access to Justice Act, 28 U.S.C. § 2412(a), (d).

5. Plaintiff's Opening Brief, **ECF No. 9**, and the hearing and remaining briefing schedule are **VACATED** as moot.

**IT IS SO ORDERED.** The District Court Clerk is directed to enter this Order and provide copies to counsel. Judgment shall be entered for Plaintiff and the file shall be **CLOSED**.

**DATED** October 3, 2024.

  
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LONNY R. SUKO  
Senior United States District Judge